

Barone

Defense Firm

**Exclusive
DUI Defense**
248-594-4554
280 N. Old Woodward Ave.
Suite 200
Birmingham, MI 48009

OWVI 3rd

- Due to the consumption of Alcoholic Liquor, a Controlled substance, or a Combination of Alcoholic Liquor, the person's ability to operate the vehicle is visibly impaired¹⁶

OWI 3rd

- BAC ≥ 0.08 ¹
- Under the influence of Alcoholic Liquor, a Controlled substance, or a Combination of Alcoholic Liquor and a Controlled Substance²
- Bodily presence of any amount of a Schedule 1 Controlled Substance³

Causing Death?

NO

YES

Causing SIBF?

NO

YES

Death of:

- Police officer?
- Firefighter?
- Emergency response person?

NO

YES

Felony⁶
 ≤ 5 years and/or
 $\$1,000 \leq \$5,000$

Felony⁵
 ≤ 15 years and/or
 $\$2,500 \leq \$10,000$

Felony⁴
 ≤ 20 years and/or
 $\$2,500 \leq \$10,000$

Felony^{18, 19} Felony⁷

- $\$500 \leq \$5,000$ and either:
- 1- 5 years prison
- OR
- Probation with 30 days to 1 year jail and $60 \leq 180$ days CS
- Forfeiture possible⁹
- Mandatory immobilization ≤ 180 days if no forfeiture⁴

SoS

- 5 year revocation²⁰
- 6 points¹³
- $\$1000$ DRF - 2 years¹³

**Child Endangerment
If Passenger <16 years
in vehicle**

Criminal

- Forfeiture possible⁹
- Mandatory immobilization for 180 days if no forfeiture⁴
- Community service¹⁰
- Ign. Interlock (OWI only)²¹

SoS

- 1 year revocation^{11, 12}
- Plate confiscated
- 6 points¹³
- $\$1,000$ DRF - 2 years¹³

¹ MCL 257.625(1)(b)
² MCL 257.625(1)(a)
³ MCL 257.625(8)
⁴ MCL 257.625(4)(b)
⁵ MCL 257.625(4)(a)
⁶ MCL 257.625(5)
⁷ MCL 257.625(7)(a)(ii)
⁸ MCL 257.625(9)(a)
⁹ MCL 257.625n(1)
¹⁰ MCL 257.625(9)(a)(i)

¹¹ MCL 257.319(2)(d)
¹² MCL 257.303(2)(i); (4)(i)
¹³ MCL 257.320(e)
¹⁴ MCL 257.319(8)(e)
¹⁵ MCL 257.319(8)(a)
¹⁶ MCL 257.625(3)
¹⁷ MCL 257.319(8)(b)
¹⁸ MCL 257.625(9)(c)
¹⁹ MCL 257.625(11)(c)
²⁰ MCL 257.303(4)(a)(ii)
²¹ MCL 257.625(24)